

Amendment No. 3 to SB0518

Barnes
Signature of Sponsor

AMEND Senate Bill No. 518*

House Bill No. 1700

by deleting all of the language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 24, Chapter 7, Part 1, is amended by adding the following as a new section thereto:

24-7-123.

(a) This section shall be known and may be cited as the "Exclusionary Rule Reform Act".

(b) Evidence that is obtained as a result of a search or seizure pursuant to a search warrant issued by a detached and neutral magistrate shall not be excluded in a proceeding in a state court on the ground that the search or seizure was in violation of the fourth amendment to the Constitution of the United States exclusionary rule, if the search or seizure was carried out in circumstances justifying an objective, reasonable officer to believe in good faith that the warrant was in conformity with the fourth amendment.

(c) Evidence shall not be excluded in a proceeding in a state court on the ground that it was obtained in violation of a statute, an administrative rule or regulation, or a rule of procedure unless exclusion is expressly authorized by statute, by a rule prescribed by the supreme court pursuant to statutory authority or by court ruling.

SECTION 2. This act shall take effect July 1, 2009, the public welfare requiring it.